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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Jarmo Kuusinen

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EXAMINER

JUNTIMA, NITTAYA

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

84

Office Action Summary	Application No.	Applicant(s)	
	10/688,203	KUUSINEN ET AL.	
	Examiner	Art Unit	
	Nittaya Juntima	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-88 is/are pending in the application.
- 4a) Of the above claim(s) 1-49 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 50 and 52-88 is/are rejected.
- 7) ☒ Claim(s) 51 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the RCE filed on 5/31/2006.
2. Claims 1-49 were cancelled.

Claim Objections

3. Claims 51, 52, 53-61, 80, and 84-88 are objected to because of the following informalities:

- in claim 51, line 2, “includes” should be deleted;
- in claim 52, line 5, “invite” should be changed to “INVITE”;
- in claim 53, line 3, “a” should be inserted after “of” ;

“messages” should be changed to “message” and;

line 4, “SDP extensions” should be changed to “an SDP extension” as there is one SDP message having one SDP extension in a SIP INVITE message that indicates the CS bearer information, see Fig. 8 and claims 1 and 73;

- in claims 54-61 and 85-88, line 2, “messages” should be changed to “message”;
- in claim 80, lines 6 and 18, a comma should be changed to a colon;
- in claim 84, line 3, “a” should be inserted after “of” ;

line 4, “messages” should be changed to “message” as there is one SDP message having one SDP extension in a SIP INVITE message that indicates the CS bearer information, see Fig. 8 and claims 81 and 73.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 66 and 71 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 66, the limitation “providing to at least one of the terminals a video service,...and application sharing service” in lines 2-4 of the claim is indefinite. It cannot be determined how can a terminal be provided with all the services listed at the same time via one dialog, especially the purpose for establishing the dialog is to establish a CS connection for a terminal that is incapable of engaging in streaming communications via the PS network as recited in claim 50. Therefore, the claim is vague and indefinite. The office is interpreting the limitation as “providing to at least one of the terminals at least one of a video service,...and application sharing service” (see original claim 21).

In claim 71, the limitation “wherein the CS bearer information includes at least multimedia caller line identification data” in lines 6-7 of the claim is vague and indefinite. It cannot be determined from the claimed language as how multimedia caller line identification data, which is an IMS service as disclosed in the specification on page 5, lines 24-28, page 14, 28-30, and provided in the SIP dialog separately from the SDP containing CS bearer information as shown in reference numeral 802B in Fig. 8 and reference numeral 912 in Fig. 9, can be included in the CS bearer information, which may be contained in any field included in the reference numeral 904 of Fig. 904. Therefore, the claim is vague and indefinite.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 50, 66-70, 72, 79, and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soininen et al. ("Soininen") (WO 03/003767 A1).

Regarding claim 50, as shown in Fig. 6, Soininen teaches a method for providing services via a packet-switched multimedia network (PS in Fig. 1) to users (Ann's terminal 90 and Bob's terminal 91) communicating in a circuit-switched domain (CS in Fig. 1), comprising:

Establishing a dialog (SIP dialog as shown in Fig. 6) between a plurality of terminals (Ann's terminal 90 and Bob's terminal 91) using a Session Initiation Protocol (SIP) via the PS multimedia network (PS in Fig. 1). See page 9, third paragraph – page 10, second paragraph.

Wherein the establishing the dialog includes sending CS bearer information indicating that a communication flow is requested via a CS network ("SIP parameters indicating that a CS bearer should be used") and a caller line identifier associated with a terminal requesting the CS connection (MSISDN of A's terminal is included in the SIP INVITE message as shown in step 103 of Fig. 6). See page 9, fourth paragraph – page 10, first paragraph.

Parsing a SIP message of the dialog to determine the CS bearer information (since "The CS call is then established..," page 10, third paragraph, the SIP INVITE message containing SIP parameters and MSISDN of A's terminal must be parsed and processed).

Effecting the communication flow between the plurality of terminals via the CS

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network as directed by the CS bearer information in response to the SIP message ("The CS call is then established..." page 10, third paragraph).

Soininen does not explicitly teach that the dialog is established for the purpose of establishing a CS connection involving at least one terminal that is incapable of engaging in streaming communications via the PS multimedia network.

However, since Soininen teaches that the terminal A 90 in Fig. 6 is capable of establishing a SIP dialog with another terminal, i.e. terminal B 91, via the PS network in order to establish a CS connection for engaging in streaming communications, i.e. a voice call, (page 9, third paragraph-page 10, third paragraph), it would have been obvious to one skilled in the art at the time of the invention to modify and apply the teaching of Soininen to a terminal that is incapable of engaging in streaming communications via the PS multimedia network such that the dialog would be established for the purpose of establishing a CS connection involving at least one terminal that is incapable of engaging in streaming communications via the PS multimedia network as recited in the claim. The suggestion/motivation to do so would have been to enable the terminal that is incapable of engaging in streaming communications via the PS multimedia network to still be able to engaging in streaming communications such as a voice call over a CS bearer with another terminal as long as such terminal is capable of establishing a packet signaling connection such as a SIP dialog with the other terminal via the PS network.

Regarding claims 66-70, Soininen teaches providing an audio service (a voice call, page 9, fourth paragraph), and communicating real-time media/voice call quality/conversational of service class/streaming quality of service class (voice call) through the CS network (page 9, fourth paragraph).

Claim 72 is a terminal claim corresponding to method claim 50, and is therefore rejected under the same reason set forth in the rejection of claim 50 with the addition of a processing system, a SIP user agent, and a user agent which must be included in the terminal (90 in Fig. 6) in order to perform the functions as recited in the claim.

Regarding claim 79, Soininen teaches the terminal (90 in Fig. 6) comprises a mobile station wirelessly coupled to the PS multimedia network and CS network via a RAN (RAN 4 in Fig. 1).

Claim 81 is a computer-readable medium having instructions stored thereon which are executable by a computer system claim corresponding to method claim 50, and is therefore rejected under the same reason set forth in the rejection of claim 50.

8. Claims 52-61, 64, and 73-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soininen et al. ("Soininen") (WO 03/003767 A1) in view of "*SDP: Session Description Protocol*" by Handley et al. ("Handley").

Regarding claims 52 and 64, Soininen further teaches wherein establishing the dialog between the plurality of terminals (90 and 91, Fig. 6) comprises sending a SIP INVITE message from a first (Ann's terminal 90) of the plurality of terminals to a second (Bob's terminal 91) of the plurality of terminals. Although Soininen further teaches that SIP parameters of the SIP INVITE contain the CS bearer information, i.e. an indication that a CS bearer should be used and the MSISDN of A's terminal (page 9, fourth paragraph and page 10, first paragraph) and a SDP (page 4, second paragraph), Soininen does not explicitly teach that the CS bearer information is communicated by way of a session description provided via a message body of the SIP INVITE/a session description definition provided via the dialog.

However, Handely teaches a session description with SDP extension that may be extended and tailored to a particular application or media ("The 'attribute' mechanism... is the primary means for extending SDP and tailoring it to particular applications or media...others may be added on an application-, media- or session-specific basis," pages 7-8, and "Additional parameters may be defined in the future, page 22, line 7).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the teaching of Soininen to include the session description of Handely such that the CS bearer information is communicated by way of a session description provided via a message body of the SIP INVITE/a session description definition provided via the dialog would be included as recited in the claim. The motivation/suggestion to do so would have been to tailor the session description to a particular application, e.g. CS application, as taught by Handley (page 8).

Regarding claim 53, Soininen does not teach that establishing a dialog between the plurality of terminals (90 and 91, Fig. 6) comprises communicating CS bearer information (SIP parameters indicating that a CS bearer should be used and MSISDN of A's terminal) via the dialog by way of a SDP message having SDP extension indicating the CS bearer information.

However, Handely teaches SDP extension that may be extended and tailored to a particular application or media ("The 'attribute' mechanism... is the primary means for extending SDP and tailoring it to particular applications or media...others may be added on an application-, media- or session-specific basis," page 8).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the teaching of Soininen to include the SDP extension of Handely such that

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a SDP message with SDP extension indicating the CS bearer information would be included as recited in the claim. The motivation/suggestion to do so would have been to tailor the SDP extensions to a particular application, e.g. CS application, as taught by Handley (page 8).

Regarding claims 54, 56, and 59, although Soininen teaches the CS bearer information (SIP parameters of the SIP INVITE indicating that a CS bearer should be used and MSISDN of A's terminal, page 9, fourth paragraph and page 10, first paragraph), Soininen fails to explicitly teach that communicating of the CS bearer information by way of the SDP message further comprises communicating at least some of the CS bearer information via an SDP connection data field identifying the CS network as recited in the claims.

However, Handley teaches an SDP connection data field (Connection data, page 12), "c=" field for each media description, or a "c=" field with one additional "c=" field at the session-level, or both for allowing SDP to be used for sessions that are not IP based (page 12).

Given the teaching of Handley, it would have been obvious to one skilled in the art at the time the invention was made to modify the teaching of Soininen to include the SDP connection data field such that at least some of the CS bearer information via an SDP connection data field identifying the CS network would be communicated. The suggestion/motivation to do so would have been to utilize the connection data field for allowing SDP to be used for sessions that are not IP based, as taught by Handley (page 12) and such modification of an SDP message format and contents only involves routine skill in the art.

Regarding claims 55 and 58, although Soininen teaches the CS bearer information (SIP parameters of the SIP INVITE indicating that a CS bearer should be used and MSISDN of A's terminal, page 9, fourth paragraph and page 10, first paragraph), Soininen fails to explicitly teach

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that communicating of the CS bearer information by way of the SDP message further comprises communicating at least some of the CS bearer information via a sub-field of a media type and a sub-field of an application media type as recited in the claims.

However, Handely teaches a sub-field of a media type/a sub-field of an application media type in an SDP which may be extended as new communication modalities emerge (page 19).

Given the teaching of Handley, it would have been obvious to one skilled in the art at the time the invention was made to modify the teaching of Soininen to include a sub-field of a media type/a sub-field of an application media type such that at least some of the CS bearer information would be communicated via a sub-field of a media type/a sub-field of an application media type particular to communication flows via the CS network as recited in the claims. The motivation/suggestion to do so would have been to enable the sub-field to be extended to cover new communication, e.g. circuit bearer connection, as taught by Handley (page 19), since such modification of an SDP message format and contents only involves routine skill in the art.

Regarding claims 57, 60, and 61, although Soininen teaches the CS bearer information (SIP parameters of the SIP INVITE indicating that a CS bearer should be used and MSISDN of A's terminal, page 9, fourth paragraph and page 10, first paragraph), Soininen fails to teach that communicating of the CS bearer information by way of the SDP message further comprises communicating at least some of the CS bearer information via SDP attribute/a session-level attribute indicative of a type of the communication flow to be effected via the CS network as recited in the claims.

Handley, however, teaches an SDP attribute which additional fields may be added to convey additional information that is specific to an application, a media, or a session (pages 8 and 19)

Given the teaching of Handley, it would have been obvious to one skilled in the art at the time the invention was made to modify the teaching of Soininen to include the SDP attribute which additional fields such that communicating at least some of the CS bearer information via an SDP attribute/a session-level attribute indicative of a type of the communication flow to be effected via the CS network would be included. The motivation/suggestion to do so would have been to convey additional information that is specific to a session, e.g. usage of circuit connection, as taught by Hanley (page 8), since such modification of an SDP message format and contents only involves routine skill in the art.

Claims 73-76 are terminal claims containing limitations corresponding to method claims 53, 55, 58, and 61, respectively, and are therefore rejected under the same reason set forth in the rejection of claims 53, 55, 58, and 61, respectively.

9. Claims 62, 63, 65, 77, and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soininen et al. ("Soininen") (WO 03/003767 A1) in view of Kotzin et al. ("Kotzin") (US 2004/0120505 A1).

Regarding claims 62-63, and 65, Soininen teaches communicating the CS bearer information ("SIP parameters indicating that a CS bearer should be used" and MSISDN of A's terminal, page 9, fourth paragraph – page 10, first paragraph) using a SIP message (SIP INVITE page 9, fourth paragraph- page 10, first paragraph), Soininen fails to teach communicating the CS bearer information by way of a CS-specific content type value associated with a SIP Content-

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Type header/a CS-specific value associated with a CS-specific SIP header as recited in the claims.

However, in an analogous environment specific to voice alert, Kotzin teaches a SIP header (Fig. 5) having a Content-Type: application/SDP in the SIP header and content-type field 511, content-encoding field 513, and content-length 515, and ASCII characters (517) that are specific to voice alert application (paragraph 0031).

Given the teaching of Kotzin, it would have been obvious to one skilled in the art at the time the invention was made to modify the teaching of Soininen to include the Content-Type SIP header such that communicating at least some of the CS bearer information by way of a CS-specific content type value associated with a SIP Content-Type header/a CS-specific value associated with a CS-specific SIP header would be included. The motivation/suggestion to do so would have been to provide a Content-Type SIP header specific to an application, e.g. circuit-switching application, and such modification of a SIP header simply involves routine skill in the art.

Claims 77-78 are terminal claims containing limitations corresponding to method claims 62-63, respectively, and are therefore rejected under the same reason set forth in the rejection of claims 62-63, respectively.

10. Claim 80 is rejected under 35 U.S.C. 103(a) as being unpatentable over Soininen et al. ("Soininen") (WO 03/003767 A1) in view of Ejzak (US 2003/0026245 A1).

Regarding claim 81, as shown in Fig. 6, Soininen teaches a system (Fig. 6) for providing services via a packet-switched multimedia network (PS in Fig. 1) to users (Ann's terminal 90 and

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Bob's terminal 91) communicating time delay-sensitive information (voice call) over a circuit-switched domain (CS in Fig. 1), comprising:

A receiver terminal (terminal B 91) and a sender terminal (terminal A 90), wherein the sender terminal comprises:

A sender terminal processing system (an inherent processing system included in terminal A 90, page 9, fourth paragraph – page 10, first paragraph).

An inherent sender terminal SIP user agent operable via the sender terminal processing system must be included in order to cause the sender terminal processing system to initiate a dialog (SIP INVITE) with the receiver terminal (terminal B 91) through the packet-switched multimedia network (PS in Fig. 1), wherein establishing the dialog includes sending the CS bearer information indicating that a communication flow is requested via a CS network (“SIP parameters indicating that a CS bearer should be used”) and a caller line identifier associated with the sender terminal (MSISDN of A's terminal) (page 9, fourth paragraph – page 10, first paragraph).

An inherent sender terminal CS communication user agent operable via the sender terminal processing system must be included in order to cause the sender terminal processing system to effect the communication flow with the receiver terminal via the CS network as directed by the CS bearer information (“The CS call is then established...,” page 10, third paragraph).

Wherein the receiver terminal (terminal B 91 in Fig. 6) comprises:

A receiver terminal processing system (an inherent processing system included in terminal B 91, page 9, fourth paragraph – page 10, first paragraph).

An inherent receiver terminal SIP user agent operable via the recipient terminal processing system must be included in order to cause the receiver terminal processing system to recognize the CS bearer information, and to respond to the sender terminal (terminal A 90) acknowledging receipt of the CS bearer information (OK message sent from terminal B 91 to terminal A 90, page 10, paragraphs 1-3).

An inherent receiver terminal CS communication user agent operable via the receiver terminal processing system must be included in order to cause the receiver terminal processing system to effect the communication flow with the sender terminal (terminal A 90) via the CS network as directed by the CS bearer information ("The CS call is then established..," page 10, third paragraph).

However, Soininen does not explicitly teach (i) an IMS and (ii) that at least one of the sender and receiver terminals is incapable of engaging in streaming communications via the IMS as recited in the claim.

(i) Regarding the IMS, Ejzak teaches an IMS having CSCF for managing SIP session (Fig. 1, paragraphs 0004, 0021, 0027-0028) and IMS-based services (paragraph 0021).

Because Soininen further suggests that the same procedure can be used if CSCFs are involved (page 10, third paragraph), and given the teaching of Ejzak on IMS having CSCF for managing SIP session, it would have been obvious to one skilled in the art at the time the invention was made to modify the teaching of Soininen to incorporate the IMS as recited in the claim. The motivation/suggestion would have been to utilize the system when CSCFs are used as suggested by Soininen (page 10, third paragraph) and to provide IP multimedia features and

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services using the SIP as the primary vehicle for call control as taught by Ejzak (paragraph 0004).

(ii) Regarding at least one of the sender and receiver terminals is incapable of engaging in streaming communications via the IMS, since Soininen teaches that the terminal A 90 in Fig. 6 is capable of establishing a SIP dialog with another terminal, i.e. terminal B 91, via the PS network in order to establish a CS connection for engaging in streaming communication, i.e. a voice call, (page 9, third paragraph-page 10, third paragraph), it would have been obvious to one skilled in the art at the time of the invention to modify and apply the teaching of Soininen to a terminal that is incapable of engaging in streaming communications via an IMS such that the dialog would be established for the purpose of establishing a CS connection involving at least one terminal that is incapable of engaging in streaming communications via the IMS as recited in the claim. The suggestion/motivation to do so would have been to enable the terminal that is incapable of engaging in streaming communications via the IMS to still be able to engaging in streaming communication such as a voice call over a CS bearer with another terminal as long as such terminal is capable of establishing a packet signaling connection such as a SIP dialog with the other terminal via the PS network.

11. Claims 82 and 83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soininen et al. ("Soininen") (WO 03/003767 A1) in view of Ejzak (US 2003/0026245 A1), and further in view of Kotzin et al. ("Kotzin") (US 2004/0120505 A1).

Claims 82-83 are computer-readable medium claims containing limitation corresponding to methods claims 62-63, respectively, and are therefore rejected under the same reason set forth in the rejection of claims 62-63, respectively.

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12. Claims 84-88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soininen et al. ("Soininen") (WO 03/003767 A1) in view of Ejzak (US 2003/0026245 A1), and further in view of "*SDP: Session Description Protocol*" by Handley et al. ("Handley").

Claim 84 is computer-readable medium claim containing limitation corresponding to methods claim 53, and is therefore rejected under the same reason set forth in the rejection of claim 53.

Regarding claim 85, although Soininen teaches inherent instructions for communicating the CS bearer information (SIP parameters of the SIP INVITE indicating that a CS bearer should be used and MSISDN of A's terminal, page 9, fourth paragraph and page 10, first paragraph), Soininen fails to teach the instructions for communicating of the CS bearer information by way of the SDP message further comprises communicating at least some of the CS bearer information via a media type as recited in the claim.

However, Handley teaches a media type in an SDP which may be extended as new communication modalities emerge (page 19).

Given the teaching of Handley, it would have been obvious to one skilled in the art at the time the invention was made to modify the teaching of Soininen to include a media type such that the instructions for communicating at least some of the CS bearer information via a media type particular to communication flows via the CS network would be included as recited in the claims. The motivation/suggestion to do so would have been to enable the media type to be extended to cover new communication, e.g. circuit bearer connection, as taught by Handley (page 19), since such modification of an SDP message format and contents only involves routine skill in the art.

Claims 86-88 are computer-readable medium claims containing limitation corresponding to methods claims 55, 58, and 61, respectively, and are therefore rejected under the same reason set forth in the rejection of claims 55, 58, and 61, respectively.

Allowable Subject Matter

13. Claim 51 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

14. Claim 71 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Response to Arguments

15. Applicant's arguments filed 5/31/2006 have been fully considered but they are not persuasive.

A. In the remarks, the applicant argues that Soininen does not teach establishing a dialog for the purpose of establishing a CS connection with a terminal that is incapable of engaging in streaming communication via a PS multimedia network as recited in independent claims 50, 72, 80, and 81.

In response, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In this case, since Soininen teaches the

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network structure of Fig. 6, which enables a packet signaling protocol such as SIP to be established over a PS network in order to communicate a streaming communication such as a voice call over a CS bearer, and the terminal such as terminal A 90 that is capable of establishing a SIP dialog with another terminal, i.e. terminal B 91, via the PS network in order to establish a CS connection for engaging in streaming communication, i.e. a voice call, (page 9, third paragraph-page 10, third paragraph), hence it would be obvious to one skilled in the art to utilize the network and apply terminal capabilities of Soininen to a terminal that is incapable of engaging in streaming communication via a PS multimedia network as long as such terminal is capable of establishing a SIP dialog over the PS network in order to enable such terminal to communicate a streaming communication such as a voice call over a CS bearer. Therefore, the rejection is sustained.

B. In the remarks, the applicant argues that Soininen does not teach establishing a dialog that includes a caller line identifier.

In response, Soininen clearly teaches establishing a dialog that includes a caller line identifier ("The INVITE message contains SIP parameters indicating that a CS bearer should be use and indicates *the MSISDN of A's terminal*," page 9, last line – page 10, line 1, see also page 4, fourth paragraph and page 9, fourth paragraph). Therefore, the rejection is sustained.

Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nittaya Juntima whose telephone number is 571-272-3120. The examiner can normally be reached on Monday through Friday, 8:00 A.M - 5:00 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nittaya Juntima
July 27, 2006

NJ



HUY D. VU
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